United Nations A/64/323

General Assembly

Distr.: General
24 August 2009

Original: English

Sixty-fourth session
Item 32 of the provisional agenda*
United Nations Relief and Works Agency for Palestine Refugees in the Near East

Persons displaced as a result of the June 1967 and subsequent hostilities

Report of the Secretary-General

Summary

In its resolution 63/92, the General Assembly requested the Secretary-General to report to it, after consulting with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), on the progress made in the implementation of the resolution.

The present report refers to correspondence between the Secretary-General and the Permanent Representative of Israel to the United Nations regarding actions taken by the Government of Israel in implementing the relevant provisions of that resolution. It also presents the information made available by the Commissioner-General of UNRWA to the Secretary-General on the return of refugees registered with the Agency to the West Bank and the Gaza Strip from Jordan, Lebanon and the Syrian Arab Republic.

* A/64/150.

09-49249 (E) 090909

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1. The present report is submitted to the General Assembly pursuant to paragraph 5 of its resolution 63/92, entitled "Persons displaced as a result of the June 1967 and subsequent hostilities", the operative part of which reads:

> *The General Assembly,*
>
> 1. *Reaffirms* the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967;
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> 2. *Expresses deep concern* that the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993 on the return of displaced persons has not been complied with, and stresses the necessity for an accelerated return of displaced persons;
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> 3. *Endorses*, in the meanwhile, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are currently displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;
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> 4. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned for the above-mentioned purposes;
>
> 5. *Requests* the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly before its sixty-fourth session on the progress made with regard to the implementation of the present resolution.

2. On 30 April 2009, the Secretary-General addressed notes verbales to the Permanent Representatives of Member States, including the Permanent Representative of Israel to the United Nations, in which he drew attention to his reporting responsibility under the resolution and requested the Permanent Representative to inform him of any action his Government had taken or envisaged taking in implementation of the relevant provisions of the resolution.

3. In a note verbale dated 5 August 2009, the Permanent Representative of Israel replied as follows:

> The Permanent Mission of Israel to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to refer to the latter's note, dated 30 April 2009, concerning resolutions adopted by the General Assembly under agenda item "United Nations Relief and Works Agency for Palestine Refugees in the Near East".
>
> While Israel voted against these resolutions, as it has done on similar resolutions adopted in the past by the General Assembly, the Permanent Mission wishes to reiterate Israel's support for UNRWA's humanitarian activities. In this respect, Israel reaffirms its intention to continue facilitating UNRWA's extension of vital humanitarian services to its beneficiaries in the field.

Over recent weeks and months, Israel has substantially eased the security-related restrictions in the West Bank, dismantling two thirds (27 of 41) of the formerly existing checkpoints and some 140 dirt roadblocks during the past year. These positive developments, noted with approval by the Quartet Envoy, have resulted in a marked improvement in economic indicators in the West Bank. Also, Israel continues to facilitate the entry of large quantities of humanitarian supplies into Gaza. Between the June 2007 Hamas takeover of Gaza and September 2008, 35,542 trucks bearing 813,870 tons of humanitarian supplies entered Gaza through the crossings from Israel. Similarly large quantities of supplies continue to enter Gaza through the crossings on an ongoing basis, with over 408,014 tons of aid and 55,034 million litres of fuel delivered to Gaza between January and July 2009.

Despite Israel's ongoing commitment to the bilateral negotiations with the Palestinian Authority during 2008, Palestinian terrorism has continued unabated and remains an alarming reality. Since 2001, over 8,900 rockets and mortars have been fired at Israel from Gaza, over 3,100 of which were fired during 2008. This campaign of violence has not been limited to rocket fire from Gaza. In five separate incidents during 2008, Palestinian terrorists based in the West Bank carried out terror attacks, killing 12 and wounding dozens of Israeli civilians. Troublingly, none of the above is mentioned in any of the aforementioned resolutions.

Notwithstanding its support for UNRWA's humanitarian activities, Israel remains concerned by the political motivation of the aforesaid resolutions, and is disturbed by the fact that they present a one-sided view which fails to reflect the reality on the ground. Moreover, Israel's concern in this respect extends to many of the public statements of UNRWA officials which are clearly political and one-sided in tone. As a professional, humanitarian body, UNRWA must be vigilant in avoiding references to controversial matters of a political nature.

Israel favours a consolidation of UNRWA resolutions, and a removal of all extraneous political language. Moreover, Israel urges the Secretary-General and UNRWA to consider, together with the concerned parties, ways in which the United Nations can enhance the manner in which it advances the welfare of the Palestinian People.

In this respect, Israel favours an application in the Palestinian context of the standard principles guiding the United Nations with respect to treatment of refugees. Specifically, UNRWA's mandate should be such that entitlement to its services will be defined in a manner consistent with the standard United Nations policy on this matter. Furthermore, UNRWA's mandate should include the active promotion in the Palestinian context of the broadly applied United Nations goals of resettlement and local integration of refugees.

The annual General Assembly resolutions on UNRWA represent a politically motivated departure from the standard United Nations policy on refugee matters.

This politicization of a strictly humanitarian issue has exacerbated the situation of the Palestinian refugees by preventing practical solutions to their needs, such as have been successfully implemented with respect to numerous groups of refugees around the world. Israel urges the Secretary-General to use

his good offices to promote such changes in these resolutions as will ensure that the mandate of UNRWA is consistent with the general principles guiding United Nations policy on refugees.

4. In connection with paragraph 2 of General Assembly resolution 63/92, the Secretary-General has obtained from the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) the information available to her on the return of refugees registered with the Agency. As indicated in previous reports on the subject, the Agency is not involved in any arrangements for the return of refugees, nor is it involved in any arrangements for the return of displaced persons who are not registered as refugees. Its information is based on requests by returning registered refugees for transfer of their UNRWA registration records from Jordan, Lebanon or the Syrian Arab Republic to the areas to which they have returned. The Agency would not necessarily be aware of the return of any registered refugees who did not request the transfer of their registration records. So far as is known to the Agency, from 1 July 2008 to 30 June 2009, 1,162 refugees registered with UNRWA returned to the West Bank and 901 to the Gaza Strip from places outside the occupied Palestinian territory. It should be noted that some of these may not have been displaced in 1967 but may have been displaced in earlier or later years or may be members of the family of a displaced registered refugee. Thus, taking into account the estimate given in paragraph 4 of the previous report (A/63/315), the number of displaced registered refugees who are known by the Agency to have returned to the occupied territories since June 1967 is about 32,626. The Agency is unable to estimate the total number of displaced inhabitants who have returned. It keeps records only of registered refugees and, as noted above, even those records, particularly with respect to the location of registered refugees, may be incomplete.

5. In connection with paragraph 3 of General Assembly resolution 63/92, the Secretary-General refers to the report of the Commissioner-General of UNRWA for the period from 1 January to 31 December 2008 (A/64/13) and to the previous reports of the Commissioner-General for accounts of the continuous and ongoing assistance provided by UNRWA to persons displaced and in need of continued assistance.